

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

FILED JS.
US DISTRICT COURT CLERK
WESTERN DISTRICT OF KY

09 NOV 18 PM 2:30

UNITED STATES OF AMERICA

SUPERSEDING INDICTMENT

v.

NO. 3:09-CR-85-S
18 U.S.C. § 2
18 U.S.C. § 875(d)
18 U.S.C. § 876(d)
18 U.S.C. § 1001
18 U.S.C. § 1513(e)

KAREN CUNAGIN SYPHER

The Grand Jury charges:

COUNT 1

On or about and between February 26, 2009 and February 28, 2009, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **KAREN CUNAGIN SYPHER**, willfully caused another to transmit in interstate commerce, with the intent to extort money or other thing of value from Richard A. Pitino, communications containing a threat to injure the reputation of Richard A. Pitino and a threat to accuse Richard A. Pitino of a crime.

In violation of Title 18, United States Code, Sections 2 and 875(d).

The Grand Jury further charges:

COUNT 2

On or about March 6, 2009 in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **KAREN CUNAGIN SYPHER**, willfully caused another to transmit in

interstate commerce, with the intent to extort money or other thing of value from Richard A. Pitino, a communication containing a threat to injure the reputation of Richard A. Pitino.

In violation of Title 18, United States Code, Sections 2 and 875(d).

The Grand Jury further charges:

COUNT 3

On or about March 22, 2009 in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **KAREN CUNAGIN SYPHER**, with the intent to extort money or other thing of value from Richard A. Pitino, knowingly and intentionally caused to be delivered by the Postal Service according to the direction thereon a communication addressed to Richard A. Pitino containing a threat to injure the reputation of Richard A. Pitino and a threat to accuse Richard A. Pitino of a crime.

In violation of Title 18, United States Code, Section 876(d).

The Grand Jury further charges:

COUNT 4

On or about April 16, 2009, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **KAREN CUNAGIN SYPHER**, knowingly and willfully made a materially false and fictitious statement and representation in a matter within the jurisdiction of the executive branch of the United States in that she told agents of the Federal Bureau of Investigation that she did not know the identity of the person who made extortionate telephone

calls to Richard A. Pitino on February 26 and 28, 2009, when, in truth and fact, she did know the identity of the caller.

In violation of Title 18, United States Code, Section 1001.

The Grand Jury further charges:

COUNT 5

On or about April 16, 2009, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **KAREN CUNAGIN SYPHER**, knowingly and willfully made a materially false and fictitious statement and representation in a matter within the jurisdiction of the executive branch of the United States in that she told agents of the Federal Bureau of Investigation that her relationship with a subject of the extortion investigation was "strictly business," when, in truth and fact, she had an intimate personal relationship with that person.

In violation of Title 18, United States Code, Section 1001.

The Grand Jury further charges:

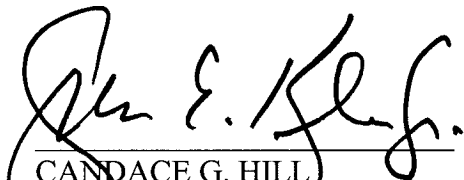
COUNT 6

On or about and between June 16, 2009 and July 14, 2009, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **KAREN CUNAGIN SYPHER**, with the intent to retaliate against Richard A. Pitino for providing to a law enforcement officer truthful information relating to the commission of a Federal offense, knowingly took actions harmful to

Richard A. Pitino, in making a criminal complaint against Richard A. Pitino to the Louisville Metro Police Department.

In violation of Title 18, United States Code, Section 1513(e).

A TRUE BILL.


CANDACE G. HILL
UNITED STATES ATTORNEY

FOI

CGH:JEK:

UNITED STATES OF AMERICA v. KAREN CUNAGIN SYPHER

PENALTIES

Counts 1, 2 and 3: NM 2 yrs./\$250,000/both/NM 1 yr. Supervised Release (each count)
Counts 4 and 5: NM 5 yrs./\$250,000/both/NM 3 yrs. Supervised Release (each count)
Count 6: NM 10 yrs/\$250,000/both/NM 3 yrs. Supervised Release

NOTICE

ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.

SPECIAL ASSESSMENTS

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor: \$ 25 per count/individual
\$125 per count/other

Felony: \$100 per count/individual
\$400 per count/other

FINES

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

Failure to pay fine as ordered may subject you to the following:

1. **INTEREST** and **PENALTIES** as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No **INTEREST** will accrue on fines under \$2,500.00.

INTEREST will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

PENALTIES of:

10% of fine balance if payment more than 30 days late.

15% of fine balance if payment more than 90 days late.

2. Recordation of a **LIEN** shall have the same force and effect as a tax lien.
3. Continuous **GARNISHMENT** may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an

ADDITIONAL FINE of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both. 18 U.S.C. § 3615

RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE: Clerk, U.S. District Court
106 Gene Snyder U.S. Courthouse
601 West Broadway
Louisville, KY 40202
502/625-3500

BOWLING GREEN: Clerk, U.S. District Court
120 Federal Building
241 East Main Street
Bowling Green, KY 42101
270/393-2500

OWENSBORO: Clerk, U.S. District Court
126 Federal Building
423 Frederica
Owensboro, KY 42301
270/689-4400

PADUCAH: Clerk, U.S. District Court
127 Federal Building
501 Broadway
Paducah, KY 42001
270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payment is made.

FORM DBD-34
JUN 85

No. 3:09CR-85-S

UNITED STATES DISTRICT COURT

Western District of Kentucky

Louisville Division

THE UNITED STATES OF AMERICA

vs.

KAREN CUNAGIN SYPHER

SUPERSEDING INDICTMENT

Title 18 U.S.C. §§ 2; 875(d); 876(d); 1001;
1513(e):

**Causing Another to Transmit Threatening
Communications With the Intent to Extort
Money; Mailing a Threatening Communication
With the Intent to Extort Money; Making False
Statements; Retaliation Against a Person for
Providing Information to Law Enforcement
Relating to the Commission of a Federal
Offense.**

A true bill.

Foreman

Filed in open court this 18th day, of November A.D. 2009.

Clerk

Bail, \$

FILED-15
U.S. DISTRICT COURT
WESTERN DISTRICT OF KY
08 NOV 18 PM 2:38